

1 [REDACTED]

2 [REDACTED] [REDACTED]?

3 A [REDACTED]

4 Q [REDACTED]

5 [REDACTED] [REDACTED]

6 A [REDACTED]

7 [REDACTED].

8 Q And he responded. Correct?

9 A I don't know if he responded.

10 Q [REDACTED] [REDACTED].

11 [REDACTED]

12 [REDACTED]?

13 A [REDACTED].

14 Q Had that ever happened before?

15 A I don't think so.

16 Q Has that ever happened since?

17 A I don't think so.

18 Q [REDACTED]

19 [REDACTED]

20 [REDACTED] [REDACTED]?

21 A [REDACTED]

22 [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED] [REDACTED]

5 [REDACTED]

6 Q [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 A [REDACTED]

10 Q [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 A [REDACTED]

14 MR. FREDERICK: May I approach,

15 Your Honor?

16 JUDGE SIPPEL: Please.

17 BY MR. FREDERICK:

18 Q Mr. Bond, this is MASN Exhibit

19 108. Have you seen this document before?

20 A I have.

21 Q This is an email from Alan

22 Dannenbaum. Is that correct?

1 A Yes.

2 Q And Alan Dannenbaum works in your  
3 group. Correct?

4 A Yes.

5 Q He's a subordinate of your's.  
6 Correct?

7 A Yes.

8 Q [REDACTED]  
9 [REDACTED]  
10 [REDACTED] [REDACTED]?

11 A [REDACTED].

12 Q [REDACTED]  
13 [REDACTED] [REDACTED]?

14 A [REDACTED].

15 Q [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED] [REDACTED]?

19 A [REDACTED].

20 Q [REDACTED]  
21 [REDACTED]  
22 [REDACTED] [REDACTED]?

1 A [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 Q [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 A [REDACTED]

11 [REDACTED] [REDACTED]

12 [REDACTED] -

13 JUDGE SIPPET: [REDACTED]?

14 THE WITNESS: [REDACTED]

15 [REDACTED] [REDACTED]

16 BY MR. FREDERICK:

17 Q [REDACTED]

18 A [REDACTED]

19 [REDACTED]

20 Q [REDACTED]

21 [REDACTED] [REDACTED]?

22 A [REDACTED]

1 [REDACTED]

2 Q [REDACTED]

3 [REDACTED] [REDACTED]

4 [REDACTED] [REDACTED]?

5 A [REDACTED]

6 [REDACTED] [REDACTED]

7 [REDACTED] [REDACTED]

8 [REDACTED]

9 MR. TOLLIN: Objection. There's  
10 no foundation for this line of questioning,  
11 and he doesn't know anything about this  
12 document, [REDACTED]

13 [REDACTED]

14 JUDGE SIPPEL: Well, I agree as to  
15 [REDACTED], but -

16 MR. FREDERICK: I just asked him  
17 what his -

18 (Simultaneous speech.)

19 JUDGE SIPPEL: What?

20 MR. TOLLIN: He didn't even send  
21 this.

22 JUDGE SIPPEL: Well, I didn't hear

1 him say that he doesn't know anything about  
2 this document, or what's in it. I didn't hear  
3 that.

4 THE WITNESS: I only know about  
5 it, Your Honor, based on preparation for this  
6 case. I don't have any independent  
7 recollection.

8 JUDGE SIPPEL: All right. No  
9 independent recollection. Okay. Well, that's  
10 his testimony, so let's move on.

11 MR. FREDERICK: All right. May I  
12 approach the witness, Your Honor?

13 JUDGE SIPPEL: You may, sir. Yes.  
14 Did we receive this in evidence?

15 MR. FREDERICK: It is received.  
16 It is.

17 JUDGE SIPPEL: Thank you.

18 MR. FREDERICK: Mr. Bond, I just  
19 have one or two questions on this document.

20 THE WITNESS: Okay.

21 BY MR. FREDERICK:

22 Q [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]?

4 A [REDACTED]

5 Q And all the information about his  
6 response has been redacted.

7 A It looks that way.

8 Q [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]?

12 A [REDACTED]

13 Q That wouldn't have been attorney-  
14 client privileged information. Correct?

15 A I don't -

16 Q You're an attorney.

17 MR. TOLLIN: I'm sorry. I'd like  
18 to object, because -

19 JUDGE SIPPEL: You can object.

20 MR. TOLLIN: -- counsel knows that  
21 the reason this has been redacted is because  
22 it was talking about settlement, a settlement

1 proposal. I don't think it's proper -

2 JUDGE SIPPEL: Well, the subject  
3 of -- go ahead. Yes?

4 MR. FREDERICK: I didn't ask about  
5 the settlement, Your Honor. I just asked if  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED], and that would  
9 not have been covered by the attorney-client  
10 privilege.

11 JUDGE SIPPEL: Well, we -- yes,  
12 you're stretching the rubber band a long way  
13 with this witness. You've got to break that  
14 down. Do you have any -- what does he have  
15 personal knowledge of? Otherwise, it's not  
16 going to make sense. What do you have  
17 personal knowledge of with respect to [REDACTED]  
18 [REDACTED], as you said,  
19 improperly? And what he did in terms of  
20 responding to it.

21 THE WITNESS: I don't have any  
22 information, or independent recollection of



1 it.

2 JUDGE SIPPEL: You don't have any  
3 information. That's answer number one. You  
4 don't have any information, except what's  
5 being shown to you here, I take it.

6 THE WITNESS: I saw this recently  
7 in preparation for this litigation.

8 JUDGE SIPPEL: All right. So, what  
9 did it tell you? What did you get out of it?

10 THE WITNESS: I don't recall it.  
11 I don't recall the email exchange. I don't  
12 recall seeing the email. I don't recall  
13 seeing [REDACTED]. I don't even know  
14 what it says. I never saw an unredacted  
15 version.

16 BY MR. FREDERICK:

17 Q You were a CC on this email.

18 A Yes. That's correct.

19 JUDGE SIPPEL: You were CC'd on  
20 it?

21 THE WITNESS: I think I am.

22 JUDGE SIPPEL: Do you usually read

1 things that are CC'd to you?

2 THE WITNESS: I get a lot of  
3 emails. I might have opened this.

4 JUDGE SIPPEL: [REDACTED]?

5 THE WITNESS: [REDACTED]?

6 JUDGE SIPPEL: [REDACTED]  
7 [REDACTED]?

8 THE WITNESS: No, but I get a lot  
9 of emails every day. I don't recall seeing  
10 this, or seeing what it said. I just don't  
11 have an independent recollection of it.

12 JUDGE SIPPEL: But you get [REDACTED]  
13 [REDACTED] -- you don't get a lot of memos from  
14 [REDACTED] going to you, do you?

15 THE WITNESS: [REDACTED]. [REDACTED]  
16 [REDACTED].

17 JUDGE SIPPEL: Well, why wouldn't  
18 this have some significance to you then, [REDACTED]  
19 [REDACTED], and he wants  
20 you to have a copy of it?

21 THE WITNESS: Well, it might have  
22 had, Your Honor. I just -- three years later,

1 I don't recall receiving this email, or what  
2 it said.

3 JUDGE SIPPEL: All right. Okay.

4 BY MR. FREDERICK:

5 Q [REDACTED]

6 [REDACTED] [REDACTED]?

7 A Yes.

8 Q [REDACTED]

9 [REDACTED]

10 [REDACTED]?

11 A [REDACTED]

12 Q [REDACTED]

13 [REDACTED] [REDACTED]?

14 A Yes.

15 Q And you report directly to Mr.

16 Steve Burke. Correct?

17 A Yes.

18 JUDGE SIPPEL: All right. Again,

19 that doesn't -- all right. Are you finished

20 with this document?

21 MR. FREDERICK: Yes.

22 JUDGE SIPPEL: Okay.

1 BY MR. FREDERICK:

2 Q [REDACTED]

3 [REDACTED]

4 [REDACTED] [REDACTED]?

5 A [REDACTED].

6 MR. FREDERICK: May I approach the  
7 witness, Your Honor?

8 JUDGE SIPPEL: Please.

9 MR. FREDERICK: This is MASN  
10 Exhibit 128.

11 JUDGE SIPPEL: [REDACTED]

12 [REDACTED]?

13 THE WITNESS: Well, from -- with  
14 respect to what I do, [REDACTED]

15 [REDACTED]

16 [REDACTED]. My

17 own personal opinion is, he's probably on this  
18 email chain because there was this whole  
19 settlement going on with MASN that involved

20 [REDACTED] [REDACTED], it involved my group, it

21 involved the FCC, pending FCC action, and

22 under the Adelpia Order. And you'll see

1 there's a whole cast of characters on this  
2 email, all relating to all those different  
3 issues. And my guess would be that Alan  
4 simply was sending this out as part of this  
5 entire transaction to a very large group of  
6 people.

7 JUDGE SIPPEL: [REDACTED]

8 THE WITNESS: [REDACTED]

9 JUDGE SIPPEL: [REDACTED]

10 THE WITNESS: [REDACTED]

11 JUDGE SIPPEL: Or Mr. Dannenbaum?

12 THE WITNESS: Mr. Dannenbaum.

13 JUDGE SIPPEL: Using his first --

14 I don't know these people very well.

15 THE WITNESS: Alan works, at this

16 point in time -

17 JUDGE SIPPEL: Alan Dannenbaum.

18 THE WITNESS: Alan Dannenbaum

19 worked for me, and he -

20 JUDGE SIPPEL: Yes. Go ahead.

21 THE WITNESS: So, as I said,

22 that's my guess of what was going on here.

1 This wouldn't be typical. [REDACTED]

2 [REDACTED]

3 [REDACTED].

4 JUDGE SIPPEL: Well, this looks  
5 like a fairly significant -- I mean, this is  
6 going to, as you say, Mr. Dannenbaum. It  
7 involves all the things that -- if it involves  
8 all the things that you said it did, this is  
9 not something that just comes across your desk  
10 routinely on a regular basis. Mr. Casserly,  
11 Mr. Casserly is the counsel for -- outside  
12 counsel for -- who does he represent, Comcast,  
13 or Comcast Corporate, or CSNMA? Which one is  
14 he representing?

15 THE WITNESS: He would have been  
16 working on the FCC aspects of this.

17 JUDGE SIPPEL: Well, this. What  
18 is "this"?

19 THE WITNESS: The dispute with  
20 MASN. If you go back to the August time  
21 frame, the dispute with MASN involved a  
22 dispute over whether CSNMA had the rights to

1 the Orioles, involved the pending FCC action  
 2 that MASN was going to file. It involved the  
 3 carriage agreement with MASN, the thing that  
 4 I was working on, the document I was working  
 5 on. And it involved a whole raft of  
 6 settlement agreements that released --  
 7 settlement agreement, releases amongst the  
 8 parties relating to kind of all matters.

9 JUDGE SIPPEL: So, this  
 10 necessarily brought [REDACTED] into  
 11 the group.

12 THE WITNESS: Yes.

13 JUDGE SIPPEL: And, I take it that  
 14 Mr. Casserly was representing [REDACTED]  
 15 [REDACTED]  
 16 [REDACTED]  
 17 Comcast corporate.

18 THE WITNESS: Well, Your Honor, I  
 19 don't want to say something that I don't know  
 20 to be true, but Willkie Farr has generally  
 21 represented us.

22 JUDGE SIPPEL: Who would be "us"?

1 You keep going to us?

2 THE WITNESS: Comcast.

3 JUDGE SIPPEL: And Willkie Farr  
4 does not represent CSNMA. They've got other  
5 counsel?

6 THE WITNESS: No, I don't know  
7 that that's accurate. Willkie Farr represents  
8 Comcast Corporation.

9 JUDGE SIPPEL: Right.

10 THE WITNESS: And they have  
11 typically helped us in FCC matters. So, I'm  
12 assuming that in this matter, they were  
13 assisting us with the FCC matters.

14 JUDGE SIPPEL: Well, I'm assuming  
15 that, too. [REDACTED]

16 [REDACTED] --

17 [REDACTED]

18 [REDACTED]. That doesn't  
19 make much sense, does it?

20 THE WITNESS: [REDACTED]

21 [REDACTED]

22 [REDACTED].



1 JUDGE SIPPEL: It is.

2 THE WITNESS: A bunch of lawyers,  
3 Jonathan Schmidtlein, Art Berg, David Cohen.  
4 I've got -

5 JUDGE SIPPEL: Mr. Rosenberg, is  
6 he an attorney?

7 THE WITNESS: Mr. Rosenberg. He  
8 works -- he's a lawyer.

9 JUDGE SIPPEL: He's an in-house  
10 lawyer for Comcast.

11 THE WITNESS: He's an in-house  
12 lawyer for Comcast.

13 JUDGE SIPPEL: [REDACTED]

14 [REDACTED]?

15 THE WITNESS: [REDACTED].

16 JUDGE SIPPEL: Who would that be?

17 THE WITNESS: Her name is Amy  
18 Cohen.

19 JUDGE SIPPEL: David Cohen?

20 THE WITNESS: Amy Cohen.

21 JUDGE SIPPEL: No relation to  
22 David Cohen?

1                   THE WITNESS: No relation to David  
2 Cohen.

3                   JUDGE SIPPEL: She's not on this  
4 list.

5                   THE WITNESS: No, I don't know if  
6 she was there at the time.

7                   BY MR. FREDERICK:

8           Q       But it's a fact that Mr.  
9 Schmidtlein represented CSNMA in the lawsuit  
10 against the Orioles. Correct?

11          A       I didn't know that.

12          Q       Okay. He's on the complaint that  
13 I gave you just a moment ago.

14          A       All right. Thank you, Mr.  
15 Frederick.

16          Q       And he argued the motion to  
17 dismiss that MASN filed in the Maryland  
18 Circuit Court. Correct?

19          A       I didn't know that, but if that's  
20 true -- so, obviously, there's a bunch of  
21 lawyers here that were involved in each of the  
22 different parts of the MASN dispute, which

1 involved CSNMA, which involved our carriage  
2 arrangement, and involved the FCC matter, the  
3 settlement, releases.

4 Q But, at this time, all Mr. Gluck  
5 is transmitting to you is the term sheet.  
6 Correct?

7 A Yes, that's what it looks like.

8 Q I want to ask you about MASN  
9 Exhibit 128. A moment ago, you testified that  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]. Correct?

13 A [REDACTED].

14 Q And, in fact, you testified that  
15 you couldn't remember it having happened  
16 before. Correct?

17 A Yes, with respect to an RSN, I  
18 think was your question.

19 Q And I asked you with respect to a  
20 programming vendor whether it had happened  
21 since, and I think you said no.

22 A Actually, I don't recall that

1 question.

2 Q Okay. If we turn to the second  
3 page of this email, this is an email from Mr.  
4 Frank Hawkins of the National Football League  
5 to Brian Roberts, Steve Burke, and you.  
6 Correct, sir?

7 A Yes.

8 Q Do you recall receiving this  
9 email?

10 A I do.

11 Q This is approximately a year after  
12 the negotiation with MASN. Correct?

13 A Yes.

14 Q And you then forward it to Ms.  
15 Kelly O'Connell. Correct?

16 JUDGE SIPPEL: What are you  
17 looking at?

18 MR. FREDERICK: I'm looking at the  
19 top of the page.

20 JUDGE SIPPEL: And what exhibit?

21 MR. FREDERICK: Of MASN Exhibit

22 128.

1 JUDGE SIPPEL: Let me get that. I  
2 have it now. Oh, I see. That's right. All  
3 right. Let's go. I'm with you now.

4 BY MR. FREDERICK:

5 Q And the subject line is, "Outline  
6 of Potential Revised Carriage Arrangement."  
7 Correct?

8 A Yes.

9 Q These are the terms of the NFL  
10 deal. Correct?

11 A It involved Versus, as well.

12 Q You forward this to your  
13 secretary. Correct?

14 A Yes.

15 Q [REDACTED]  
16 [REDACTED] [REDACTED]?

17 A [REDACTED] [REDACTED]  
18 [REDACTED]  
19 [REDACTED].

20 Q [REDACTED]  
21 [REDACTED] [REDACTED]  
22 [REDACTED]?

1 A [REDACTED]

2 [REDACTED]

3 Q [REDACTED]

4 [REDACTED] [REDACTED]?

5 A [REDACTED]

6 Q In fact, your lawyers negotiated a  
7 very stringent protective order in this case.  
8 Correct?

9 A I don't know.

10 Q Mr. Bond, have you signed a  
11 protective order in this case?

12 A Maybe I have. I don't recall.

13 Q Did you read the protective order  
14 before you signed it in this case?

15 A I'm sorry, Mr. Frederick. I don't  
16 recall signing a protective order. If I  
17 signed it, I'm sure I looked at it. I just  
18 don't recall signing a protective order.

19 Q And you don't recall any of the  
20 terms in the protective order.

21 A No.

22 Q Do you recall any discussions

1 about a protective order in this case?

2 A No.

3 Q Isn't it true that Comcast Cable  
4 and the heads of its affiliated regional  
5 sports networks go on retreats together?

6 A Who goes on retreats, the heads of  
7 Comcast Cable?

8 Q Yes, and the heads of the  
9 affiliated regional sports networks, that they  
10 go on retreats together.

11 A There may have been off-sites that  
12 the programming group had that had other  
13 Comcast Cable executives. I don't know about  
14 them, but maybe it's happened.

15 Q Isn't it true there would be  
16 meetings between top officials of CSNs, and  
17 Comcast Cable?

18 A Yes.

19 Q Isn't it true that they share  
20 budget estimates?

21 A I don't know. Budget estimates of  
22 CSNMA, or Cable?

1 Q I'm just asking you what you know.

2 A I don't know.

3 Q Do you know whether they sit in on  
4 each other's meetings?

5 A I don't know.

6 Q Do you know about a table

7 [REDACTED]

8 [REDACTED]

9 A No.

10 MR. FREDERICK: May I approach the  
11 witness, Your Honor?

12 JUDGE SIPPEL: You may. Yes, sir.  
13 This is MASN 136. Is this in?

14 MR. FREDERICK: Yes, it is, Your  
15 Honor.

16 JUDGE SIPPEL: What about the  
17 previous one, 128. Is that in, also?

18 MR. FREDERICK: That is in  
19 evidence, Your Honor.

20 JUDGE SIPPEL: Thank you.

21 BY MR. FREDERICK:

22 Q Mr. Bond, have you ever seen this



1 document before?

2 A I saw it in preparation for my  
3 testimony, but not previously.

4 Q Is it a Comcast Corporation  
5 document?

6 A It appears to be a SportsNet  
7 document. It says, "Working Draft for John  
8 Litner Review."

9 Q I'd like you just to turn to the  
10 first page.

11 A Yes.

12 Q Page 2 of the exhibit, where it  
13 says, "Sports programming."

14 A I see it.

15 Q Can you read factoid number one  
16 for the Court, please?

17 A [REDACTED]

18 [REDACTED]

19 [REDACTED] Do you want me to keep going?

20 Q Who said that?

21 A Brian Roberts.

22 Q So, Brian Roberts, the Chairman